

U.S. Appln. No. 10/639,949  
Amendment dated September 19, 2005  
Reply to Office Action of July 14, 2005

Confirmation No. 6992

### REMARKS

Applicants respectfully request entry of the Amendment and reconsideration of the claims. Claims 1-6 are currently pending. Applicants acknowledge the Examiner's withdrawal of the rejection of claims 1 and 4-6 under 35 U.S.C. § 112, first paragraph, and claims 1 and 3-6 under obviousness-type double patenting over U.S. Patent No. 6,339,085, and claims 1-6 over co-pending Application No. 09/863,093. Applicants respectfully request reconsideration and withdrawal of the pending rejection under 35 U.S.C. § 103(a).

#### Rejection under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-6 under 35 U.S.C. § 103(a) for allegedly being obvious over pages 1354-1357 of Goodman & Gilman's *The Pharmacological Basis of Therapeutics* (9th Ed.) in view of U.S. Patent No. 2,904,551 (Pollack et al.) and also in view of U.S. Patent No. 6,051,587 (Dakashinamurti et al.). Applicants respectfully traverse.

To establish a *prima facie* case of obviousness, three criteria must be met--a suggestion or motivation to combine references, a reasonable expectation of success, and the prior art reference teaches or suggests all the claim limitations. MPEP §2143; *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). When combining references, the initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. *Ex parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. & Inter. 1985); MPEP §2142. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, (Fed. Cir. 1990); MPEP §2143.01. Applicants respectfully assert that the Examiner has not established a suggestion or motivation to combine references to arrive at the instant claims.

Applicant's claims recite a method of reducing blood clots by concurrently administering a cardiovascular composition in combination with pyridoxine derivatives. The citation from Goodman & Gilman's teaches the use of heparin and aspirin as thrombolytic agents. The '587 patent teaches the administration of pyridoxine derivatives for treating iatrogenic and age-related hypertension. Applicants respectfully assert that there is no motivation to combine these references to arrive at the instant claims. There is no suggestion to administer a combination of heparin and/or aspirin with a pyridoxine derivative to reduce a blood clot. The only support

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provided by the Examiner for the recited combination is that anticoagulant/antiplatelet drugs well known and vitamin B<sub>6</sub> is a nutritional necessity. The Examiner has not provided support for this combination as a therapeutic to reduce blood clots. Applicants respectfully assert that the Examiner has shown that the references can be combined but not the desirability of the combination. As such, the Examiner has not demonstrated a desirability to combine the Goodman & Gilman's reference with the '587 patent, and thereby has not established a *prima facie* case of obviousness.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a).

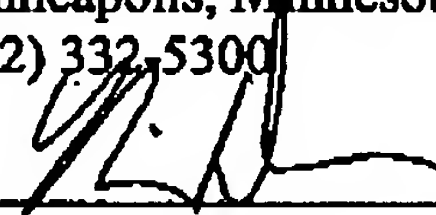
### Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: September 19, 2005

  
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Brian R. Dorn  
Reg. No. 57,395  
BRD:RAD:mls

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